IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE M.E.N.PATRUDU

WRIT APPEAL NO :122 of 2006

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Dated: 15TH February 2006.

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Between:

Korada Ammaji and another

..... PETITIONERS

AND

APSRTC, rep by its Vice Chairman-cum-Managing Director, Hyderabad and another

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE M.E.N.PATRUDU

W.A.NO.122 OF 2006

ORAL JUDGMENT:

(Per the Hon'ble Sri Justice J.Chelameswar)

Aggrieved by the judgment of a learned single judge of this Court in Writ Petition No.4729 of 1997, dated 2nd December 2004, the unsuccessful petitioners preferred the present writ appeal.

The 1st appellant is the wife and the 2nd appellant is the son of one Appala Narasiah, who was working as a conductor with the respondents and died in harness on 29th June 1988. Thereafter, an application was made on behalf of the appellants to provide employment to either of them on the grounds of compassion. The respondents found that neither of the appellants was eligible for employment in view of the fact that neither of them possessed a minimum educational qualification required for employment. The respondents, therefore, provided some additional monitory benefit (Rs.24,195/-) to the appellants, in lieu of the opportunity of employment. We are given to understand that this amount was paid in addition to the other benefits accruing to the members of the family consequent upon the death of Appala Narasaiah. Not satisfied with the benefits so given, the appellants approached this Court by way of the above writ petition.

The learned single Judge, in our view, rightly came to the conclusion that compassionate appointment is not a vested right and in view of the fact that the appellants received the additional monitory benefit, they are not entitled to claim any further benefit from the respondents. Even otherwise, nearly 18 years after the death of the said Appala Narasaiah, there cannot be a direction to consider the case of either of the appellants at this stage for compassionate appointment as the very object of the scheme of compassionate appointment is to provide immediate relief to

the family members of a deceased employee.

In the circumstances, we do not see any merits in the writ appeal. Accordingly, the writ appeal is dismissed at the stage of admission. No costs.

J.Chelameswar, J

M.E.N.Patrudu, J

15th February 2006

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